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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
(HONORABLE MARILYN L. HUFF)

|                           |   |                             |
|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, | ) | CASE NO. 08CR1275-MLH       |
|                           | ) |                             |
| Plaintiff,                | ) | DATE: August 25, 2008       |
|                           | ) | TIME: 2:00 P.M.             |
| v.                        | ) |                             |
|                           | ) | NOTICE OF MOTIONS AND       |
| NAPOLEON ZEPEDA-MONTES,   | ) | MOTIONS:                    |
|                           | ) |                             |
| Defendant.                | ) | (1) TO SUPPRESS MR. ZEPEDA- |
|                           | ) | MONTES' STATEMENTS; AND     |
|                           | ) | (2) TO GRANT LEAVE TO FILE  |
|                           | ) | FURTHER MOTIONS.            |
| _____                     | ) | _____                       |

**TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND  
STEWART YOUNG, ASSISTANT UNITED STATES ATTORNEY:**

PLEASE TAKE NOTICE that on August 25, 2008, at 2:00 p.m. or as soon thereafter as counsel may be heard, the defendant, Napoleon Zepeda-Montes, by and through his counsel, Joseph M. McMullen and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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**MOTIONS**

The defendant, Napoleon Zepeda-Montes, by and through his attorneys, Joseph M. McMullen and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order:

- 1) to suppress Mr. Ceniseros' statements; and,
- 2) for leave to file further motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Respectfully submitted,

Dated: August 19, 2008

/s/ Joseph M. McMullen  
**JOSEPH M. MCMULLEN**  
Federal Defenders of San Diego, Inc.  
Attorneys for Mr. Zepeda-Montes